

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

**HAYWARD B. McATEER, and wife,)
JEANNETTE R. McATEER; and)
EDWARD R. MILLS, and wife,)
SANDRA L. MILLS, and)
JOHN BRANNON, BRIGHT,)
Executor of the Estate of)
JIMMY D. HODGE, deceased and)
wife NANCY F. HODGE)**

Plaintiffs

v.

AcandS Inc. *et al*,

Defendants.

LEAD CASE: GODFREY

Civil No. 1:00-CV-00033-T

ORDER

THIS MATTER is before the Court upon motion by Plaintiffs, Hayward B. McAteer and wife Jeannette R. McAteer, Edward R. Mills and wife Sandra L. Mills, and John Brannon Bright, Executor of the Estate of Jimmy D. Hodge, deceased and wife, Nancy F. Hodge, and Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, to dismiss with prejudice, all claims against CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation in this matter.

It appearing that grounds exist to permit Plaintiffs to voluntarily dismiss this action against CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation with prejudice and that the motion should be granted for good cause shown;

It is therefore ORDERED, ADJUDGED, and DECREED that the action of Plaintiffs, Hayward B. McAteer and wife Jeannette R. McAteer, Edward R. Mills and wife Sandra L. Mills, and John Brannon Bright, Executor of the Estate of Jimmy D. Hodge, deceased and wife, Nancy F. Hodge, against Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, be dismissed with prejudice.

Signed: December 15, 2006

A handwritten signature in dark ink, appearing to read "Lacy H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

